IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PIL WRIT PETITION NO. 482 OF 2005

Bombay Environmental Action Group & Anr. .. Petitioners
Versus
The State of Maharashtra & Ors. .. Respondents

Mr.I.M.Chagla, Mr.S.H.Doctor, Mr.N.H.Seervai, Sr.Advocates with Mr.G.S.Patel, Mr.R.I.Chagla, Mr.J.C.Perreira, Mr.S.H.Jagtiani, Mr.D.A.Mohta, Mr.Shrikant Doijode and Mr.Parag Kabadi i/b. M/s. Doijode Associates for the Petitioners.

Mr.G.E.Vahanwati, Solicitor General of India with Mr.Ravi Kadam, Advocate General and Mr.R.M.Sawant, G.P.for the Respondent No.1.

Mr.K.K.Singhvi, Sr.Advocate with Mr.K.Setalwad with Mrs.Shobha Ajitkumar for the Respondent No.2.

Mr.Mukul Rohatgi, Senior Advocate with Ms.Meena Doshi for the Respondent Nos.3 and 4.

Mr.A.Sayed for the Respondent No.5.

Mr.Janak Dwarkadas, Sr.Advocate with Ms.Hatoxi Tavadia i/b. Mr.Mahesh Thorat for the Respondent No.6.

Mr.J.J.Bhatt, Sr.Advocate with Mr.V.R.Dhond and Mr.Shyam Mehta i/b. M/s.Federal Rashmikant for the Respondent Nos.7 and 8.

Mr.V.R.Manohar, Sr.Advocate with Mr.Pesi Mody and Mr.Zia Mody i/b. M/s.Federal Rashmikant for the Respondent No.9.

Mr. J.J. Bhatt, Sr. Advocate with Mr. J.P. Sen i/b. M/s. Federal & Rashmikant for the Respondent Nos. 10 and 24

Dr.A.M.Singhvi with Mr.J.J.Bhatt, Sr.Advocate with Mr.Rajan Karanjawala & Mr.Percy Ghandy with Mr.S.Kanthawala and Mr.Amit Bhandari i/b. M/s.Federal Rashmikant & Associates for the Respondent No.11.

Mr.E.P.Bharucha, Sr.Advocate with Mr.Zubin Beheramkamdin i/b. M/s.Humranwala & Co. for the Respondent No.12.

Dr.V.Tulzapurkar, Sr.Advocate with Mr.Virag Tulzapurkar and Mr.Anil Menon for the Respondent No.13.

Mr.Dr.Veerendra Tulzapurkar, Sr.Advocate with Mr.Shriraj Dhru & Mr.Ranjeet Vaghani i/b. M/s.Dhru & Co. for the Respondent No.14.

Mr.V.Tulzapurkar, Sr.Advocate with Mr.Paritosh Jaiswal i/b. M/s.Kanga & Co. for the Respondent Nos. 15, 21 and 22.

Ms.Gayatri Singh for the Respondent No.16

Mr.Jamshed Mistry with Mr.Rahul Narichania i/b. M/s.Thakore Zariwala & Co. for the Respondent Nos. 17 and 18.

Mr.B.A.Desai, Addl.Solicitor General of India with Mr.Rajiv Chavan and Mr.A.M.Sethana for the Respondent No.19.

Mr.R.V.Govilkar with Mrs.Sadhana Mahashabde for the Respondent No.20 (Pollution Control)

Mr. Ajit Jakhadi for the Respondent No.23.

Mr.Pesi Mody i/b. M/s.Desai & Diwanji for the Respondent No.25.

Mr.T.R.Andhyarujina with Mr.E.P.Bharucha, Sr.Advocates with Mr. Zal Andhyarujina with Mr.Mohan Salian i/b. M/s.Gagrats for the Respondent No.26.

Mr.R.J.Gagrat, Mr.C.N.Mehta, Ms.Sheetal Awhad and Mr.N.M.Ganguli for the Respondent Nos.27 to 32.

CORAM : DR.S.RADHAKRISHNAN & S.C.DHARMADHIKARI, JJ.

Date : 17th October, 2005.

P.C.:

1. After pronouncement of judgment, the learned Counsel for National Textile Corporation and the learned Counsel for all the Mill Owners apply for stay of this judgment and order. The learned Counsel for the Petitioners strongly opposes. We do not find any ground to grant stay of this judgment and order, as all the constructions are in "standstill position" in view of the Stop Work Notices issued by the Mumbai Municipal Corporation and the Maharashtra Pollution Control Board. Hence, application for stay is rejected.

2. Issuance of certified copy of the judgment and order is expedited.

(DR.S.RADHAKRISHNAN,J.)

(S.C.DHARMADHIKARI,J.)